

Directors' declaration of eligibility to be under restructuring

Do not lodge this form with ASIC. Give the form to the restructuring practitioner of the company

Company details

Company name

ACN

1 Date of declaration

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[D D] [M M] [Y Y]

2 Declaration of eligibility to be under restructuring

If there is insufficient space, you may attach further information and submit it as part of this lodgement.

- The directors of the company declare that in the directors' opinion, there are reasonable grounds to believe that:
- the company has/has not entered (strike out as applicable) into a transaction that would be voidable under section 588FE of the Act, other than a transaction that would be an unfair preference, if
 - the company were being wound up because the company had resolved by special resolution that it be wound up voluntarily; and
 - the resolution had been passed on the day on which the declaration is given; and
 - the company were under restructuring immediately before the company passed the resolution; and
 - the relation-back day were the day on which the restructuring of the company began; and
 - the eligibility criteria for restructuring were met in relation to the company at the time the restructuring began (reasons set out below)

3 Reason(s) why the eligibility criteria for restructuring were met at the time the restructuring period began

If there is insufficient space, you may attach further information and submit it as part of this lodgement.

Please provide details of why the company meets the eligibility criteria for restructuring at the beginning of the restructuring period:

Eligibility Criteria	Reason(s)
<p>On the day on which the restructuring practitioner for the company was appointed:</p> <ul style="list-style-type: none">Total liabilities of the company did not exceed \$1 millionNo person who is a director, or has been a director within the preceding 12 months has been a director of another company that has been under restructuring or been the subject of a simplified liquidation process within the preceding 7 years (unless exempt under regulation 5.3B.03(4))The company has not been under restructuring or been the subject of a simplified liquidation process within the preceding 7 years	

4 Details of company director

Family name	Given names	
<input type="text"/>	<input type="text"/>	
Postal address		
<input type="text"/>		
Suburb/City	State/Territory	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>

Family name	Given names	
<input type="text"/>	<input type="text"/>	
Postal address		
<input type="text"/>		
Suburb/City	State/Territory	Postcode
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<input type="text"/>		
Suburb/City	State/Territory	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>

Signature

All directors must sign this declaration

Name

Signature

Date signed

 / /
[D] [D] [M] [M] [Y] [Y]

If there is insufficient space in this section for all directors to sign, you may photocopy the relevant page(s) and submit as part of this lodgement

Name

Signature

Date signed

 / /
[D] [D] [M] [M] [Y] [Y]

Name

Signature

Date signed

 / /
[D] [D] [M] [M] [Y] [Y]

Name

Signature

Date signed

 / /
[D] [D] [M] [M] [Y] [Y]

Name

Signature

Date signed

 / /
[D] [D] [M] [M] [Y] [Y]

Name

Signature

Date signed

 / /
[D] [D] [M] [M] [Y] [Y]

Lodgement

Send completed and signed forms to:
The restructuring practitioner of the company. Do not lodge this form with ASIC.

For help or more information

Web www.asic.gov.au
Need help? www.asic.gov.au/question
Telephone 1300 300 630

Guide: Directors' declaration of eligibility to be under restructuring

This guide does not form part of the form. It is included by ASIC to assist you in completing and lodging this form.

Signature	This form must either be signed by each director of the company.
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Lodgement period	This form must be given to the restructuring practitioner of the company within 5 business days after the day on which the restructuring of the company begins, or such longer period as the company's restructuring practitioner allows. Directors are not required to lodge this form with ASIC.
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How to provide additional information	If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement.
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Attachments

Attachments must be labelled as shown below:

Sample

Attachment name:

Number of pages:

Date prepared:

Privacy	The information provided in this form may include personal information. Please refer to ASIC's privacy policy (www.asic.gov.au/privacy) for information about how ASIC handles personal information, your rights to seek access to and correct personal information, and to complain about breaches of your privacy.
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Lodgement	Send completed and signed forms to: The restructuring practitioner of the company. Do not lodge this form with ASIC.	For more information
		Web www.asic.gov.au Need help? www.asic.gov.au/question Telephone 1300 300 630